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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Cathy Liu

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EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT

PAPER NUMBER

2625

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DELIVERY MODE

05/29/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/832,098	<b>Applicant(s)</b> LIU, CATHY	
	<b>Examiner</b> Houshang Safaipoor	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 15-25, 29-35 and 39-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 15-25, 29-35 and 39-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 15-22 and 39-42 is withdrawn in view of the newly discovered reference(s). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, 15-25, 29-35 and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryu (US 6,295,386) and further in view of Nagashima (US 7,099,025).

Regarding claims 1, 15, 23, 29, 33 and 39 Ryu discloses an image scanning method for a scanner, comprising:

- b. using an image capturing element to perform image capturing on a scanning object (col. 5, lines 8-15);
- c. using calibration parameter to perform compensation and calibration for the captured image (fig. 5B, col. 5 lines 1-7 and line 50 through col. 6 line 36); and
- d. completing image scanning for the object and repeating the using an image capturing element for a subsequent scanning object (fig. 5B block S10 if “No” back to S8).

Ryu does not explicitly disclose calculating a calibration parameter responsive to determining that the calibration parameter is not stored in memory. Nagashima discloses such feature as shown in figures 3 and 4. Please follow the flow chart as follow:

Art Unit: 2625

(FIGURE 3): S100 (NO) - S103(NO) S115 (YES) - (FIGURE 4): S108 - S109 - S110 - S111 - S112-1 - S3 - S201 (Please also refer to col. 7 line 14 to col. 8 line 43). Therefore it would have been obvious to a person of ordinary skill in the art to use such calibration procedure as outlined by Nagashima (in his image forming apparatus) in scanner calibration method of Ryu in order to correct image errors and obtain a good quality image.

Regarding claims 2, 17, 24, 31, 34 and 41, Ryu discloses the image scanning method of claim 1, further comprising:

holding the scanning, object via a holding board; capturing the image of the scanning object via an optical chassis comprising an image capturing element (col. 4 lines 48-60) ; and

storing the preset calibration parameter via a control module comprising a read only memory (ROM) and using the stored calibration parameter to perform compensation and calibration for the captured image (col. 4 line 64 through col. 5 line 7).

Regarding claims 3 and 18 Ryu discloses the image scanning method of claim 2, wherein the holding the scanning object comprises holding the scanning object via the holding board comprising glass or acrylic material (inherent characteristics for image scanners).

Regarding claims 4 and 19, Ryu discloses the image scanning method of claim 2, wherein the capturing the image of the scanning object comprises capturing the image of the scanning object via the image capturing element of the optical chassis comprising a charge coupled device (CCD) (col. 4 lines 48-60).

Regarding claims 5 and 20, Ryu discloses the image scanning method of claim 2, further comprising:

projecting on the scanning object via a linear light source to generate a reflecting image reflecting the reflected image via one or more reflecting mirrors; and refracting the reflected image through a lens to form an image on the image capturing element (col. 4 lines 4-60).

Regarding claims 6 and 21, Ryu discloses the image scanning method of claim 2, further comprising moving the optical chassis along the holding board to scan the object via a driver (col. 4 lines 4-60).

Regarding claims 7, 22, 25, 32, 35 and 42, Ryu discloses the image scanning method of claim 2, wherein the storing the preset calibration parameter comprises storing the preset calibration parameter via the control module comprising a selected system file (col. 4line 64 through col. 5 line 7 and please refer to discussion under claim 2).

Regarding claims 16, 30 and 40, please refer to figures 3 and 4 and the discussion under claim 1.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipoor/  
Primary Examiner, Art Unit 2625